

**UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE**

Joseph Vaillancourt
a/k/a Bryan Bernard

v.

Civil No. 06-cv-438-JD

New Hampshire Department of
Corrections, et al.

REPORT AND RECOMMENDATION

Plaintiff's Motion for Preliminary Injunction deals with allegedly deficient medical care by Berlin prison officials related to alleged bleeding episodes on January 21 and 25, 2006 and in the period June-July to September 6, 2006. However, despite the huge list of his desired defendants, none of them are Berlin prison medical personnel. Plaintiff cannot, as a matter of law, be entitled to an injunction against the Concord prison officials for medical neglect allegedly at the hands of Berlin officials six months to one year ago. The motion is but one more of plaintiff's frivolous filings. I recommend that the motion be denied without the necessity of a wasteful evidentiary hearing.¹

Any objections to this report and recommendation must be

¹The affidavit of ARNF Mooney and plaintiff's attested medical record demonstrate substantial and current adequate medical care.

filed within ten (10) days of receipt of this notice. Failure to file objections within the specified time waives the right to appeal the district court's order. See Unauthorized Practice of Law Comm. v. Gordon, 979 F.2d 11, 13-14 (1st Cir. 1992); United States v. Valencia-Copete, 792 F.2d 4, 6 (1st Cir. 1986).


James R. Muirhead
United States Magistrate Judge

Date: May 3, 2007

cc: Joseph Vaillancourt, pro se
Nancy J. Smith, Esq.
Nancy Sue Tierney, Esq.